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SUBJECT: CANADA PROVIDES INFORMATION ON FOREIGN DETAINEES
IN IRAN

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Classified By: PolMinCouns Scott Bellard, reasons 1.4 (b) and (d)

12. (S) In a meeting with Deputy Pol/C on October 1, the Department of Foreign Affairs and International Trade's Iran, Iraq, Kuwait, and Qatar Deputy Director Gallit Dobner shared the following report from Ottawa's newly arrived Charge d'Affaires in Tehran regarding dual and foreign nationals detained by the Iranians, including three American citizens.

Begin Canadian diplomatic report:

Security: SECRET

I met yesterday with DG of the American's Section Ali Akbar Rezaei. We had met a few times when I passed through here last fall, so it was an opportunity to renew old acquaintances (it was our first meeting since my arrival at post as he was away for my earlier meeting at the MFT). As directed, the focus of the early part of our discussions was the Bahari case and the various cases involving Americans (I had been advised by the Swiss Ambassador just before my meeting that she had been given consular access) finally) to the three US hikers, none of whom are dual nationals). I noted our deep concern and the priority attached to the Bahari case by the Government of Canada and reiterated our appreciation for Rezaei's interventions which had paved the way for a couple of phone calls between Bahari and his wife. I reaffirmed both our desire for his release and our commitment to seeing that his legal rights were respected. I stressed the humanitarian angle given the precarious state of his wife's health and that of his unborn child. Rezaei, having helped in facilitating the calls on the basis of the documents we had provided, was well aware of the details of the situation. I also noted our continuing concerns for the American detainees) the 3 hikers, Tajbakhsh, Taghavi and the missing American Levinson (using the lines provided). Rezaei reminded me of the Iranian position on Bahari and all dual nationals. They were Iranians, full stop, in Tehran's eyes and requests for the usual consular privileges did not apply in these cases (the hikers were a different story and consular access had been granted the day before he noted). I advised that while we certainly respected Iranian sovereignty, we would continue to agree to disagree on the cases involving dual nationals. However, I noted, there was a human rights dimension to these case that were quite separate from the dual nationality issue. All of these individuals had been so far denied their basic right to counsel and no clear charges had been laid. From a human rights perspective alone it was perfectly legitimate for us and the international community to seek answers. Rezaei, surprisingly, agreed that we had the right to pursue that line of enquiry as it did not interfere in our internal affairs the way our assertions regarding consular rights over "Iranian Nationals": did. He said he would try and make enquiries with the judiciary on that basis.

As to why there had been such a delay in getting access to lawyers, Rezaei said, without getting into specifics about the individual cases, that in principle legal advice is only

provided after the completion of the investigation phase which could be protracted (he made a half-hearted attempt to equate this with western practices of holding suspects without charge, but quickly abandoned that line, perhaps realizing that access to legal counsel) in virtually all cases) is provided pretty quickly). He gave no hint that he had any knowledge of the commitment made by FM Mottaki to his Turkish counterpart that Bahari would be released soon nor did I really expect that he would even if he is in the loop on that (and I,m not sure that he necessarily would be). In the Levinson case, he said the Iranians had done everything they could to cooperate with the family and in trying to find out information about where he might be. Local police and government authorities had been approached in all the areas where Levinson had reportedly visited before his disappearance and had come up with no leads about what happened to him. If the Americans had any, he said, Iran would be more than willing to pursue them. Right now they are at a dead end.

All in all the meeting was cordial, even friendly at times. I had expected him to raise the human rights resolution, even in passing, but he didn't even take the opening I gave him when I mentioned the legitimacy of us pursuing the Bahari complaint from the human rights angle. Whether they are waiting for us to raise it formally with them or have decided to work through our allies in trying to undermine support (eg in coming meeting with NZ visitor where, as I noted previously, the "Canadian resolution" is going to be raised) is unclear. It could simply have been Iranian politeness in not wanting to go down that road in this first official meeting (in stark contrast to Canadian crassness, then, in raising Bahari at this juncture). There was little doubt, however, that the resolution was the elephant in the room. One final point Rezaei raised related to the broader question

of the level of the bilateral relationship. Rezaei reiterated the point he made with de Salaberry when my name was first put forward for sic) TERAN Any delay in approving me, he said, had nothing to do with me personally. They were quite pleased with my selection, but would have preferred that I would have been nominated as Ambassador. In Iran,s view, I am here as the head of the Canadian Embassy as relations have not been formally downgraded to the level of Charge. They remain hopeful that when the time is right) "the excuse is found") we can quickly return to an exchange of Ambassadors (with the assumption on their part that I would be elevated to that capacity) he was silent on Ghassemi however). I said that no decision had been taken but that certainly the current context was difficult. Rezaei said that he would be supportive of any meetings with senior Iranians to discuss the issues we want to pursue. I will soon put together lists to test him. My suggestion is they might prove less than forthcoming, especially if they are trying to make a point about relationship levels.

DH

End Canadian diplomatic report.

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